

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6504

BILL NUMBER: HB 1160

NOTE PREPARED: Jan 25, 2013

BILL AMENDED: Jan 24, 2013

SUBJECT: School Employee Background Checks.

FIRST AUTHOR: Rep. Rhoads

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that an expanded criminal history check, for purposes of education law, requires a national criminal history background check. It eliminates other types of permissible record searches under current law.

The bill provides that a school corporation may agree to pay any fees required for an expanded criminal history check.

Effective Date: July 1, 2013.

Explanation of State Expenditures: This bill will increase the workload of the Indiana State Police (ISP) to process an increased number of national criminal history background checks. Increases in workload should be offset by the increase in revenue from fees.

Explanation of State Revenues: *Summary:* Currently, school corporations can request either an expanded or a national criminal history background check. This bill removes the ability of a school corporation to request a criminal history background check for all certified and noncertified school employees. As a result, this bill could increase state revenue by \$44,100 per year from state fees assessed for national criminal history background checks.

Additional Information:

This bill changes the definition of an expanded criminal history background check. Currently, a school corporation can request either (1) a national criminal history background check or (2) a background check that searches the records maintained in all Indiana counties or similar governmental units in another state. By removing the latter alternative, this bill will increase the number of national criminal history background checks requested by school corporations for all new certified and noncertified employees.

A national criminal history background check requires a search of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification. A national criminal history background check is obtained through the ISP. For every national criminal history background check performed in the state, \$15 is forwarded to the General Fund.

Using information obtained from the Department of Education for CY 2012, school corporations employed a total of approximately 72,000 certified employees and 75,000 noncertified employees (a total of 147,000 employees). Assuming a 2% annual turnover in staff, an estimated 2,940 new certified and noncertified school employees would be required to undergo a national criminal history background check. This would increase state revenue by \$44,100 per year.

Explanation of Local Expenditures: (Revised) The bill provides that a school corporation may agree to pay any fees required for an expanded criminal history check. The impact of this change would depend on school corporation decisions of whether to pay for the expanded background check.

Currently, the employee under IC 20-26-5-10 is required to pay the cost of the required criminal history check.

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Local schools and charter schools.

Information Sources:

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